

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
KERRY ASHDOWN., :

Plaintiff, :

-v.- :

EQUINOX INC, et al., :Defendants. :
-----X**GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE**

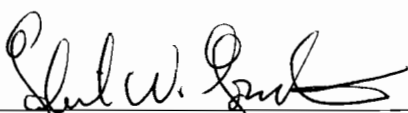
The Court is in receipt of two letters dated September 9, 2013 from plaintiffs (one of which was not received until September 10, 2013), and a letter dated September 9, 2013 from defendants.

As to the issue of prior complaints, the Court specifically left open the possibility that the production ordered on August 19 might be curtailed if it raised burdensomeness issues. It appears the issue of burdensomeness was raised by defendants on August 21 and thus any dispute on this issue should have been brought to the Court's attention then. At this point, the parties should discuss this issue so that the plaintiff has a full understanding of the defendants' contention as to burden. They should attempt to agree on a reasonable resolution. If any dispute remains, the parties may arrange for a telephone conference with the Court any day this week, including at 5:00 p.m. They may call Chambers to arrange such a conference.

As to the other document dispute raised in plaintiff's letter, it should be brought to the Court's attention in accordance with paragraph 2.A of the Court's Individual Practices.

SO ORDERED.

Dated: September 10, 2013
New York, New York



 GABRIEL W. GORENSTEIN
 United States Magistrate Judge

DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/10/13
